

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-00795-PAC**

Natural Resources Defense Council v. United States Department
of Agriculture
Assigned to: Judge Paul A. Crotty
Cause: 05:552 Freedom of Information Act

Date Filed: 02/01/2012
Date Terminated: 09/12/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff**Natural Resources Defense Council**

represented by **Aaron Colangelo**
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PRO HAC VICE
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V.

Defendant**United States Department of
Agriculture**

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Date Filed	#	Docket Text
02/01/2012	<u>1</u>	COMPLAINT against United States Department of Agriculture. (Filing Fee \$ 350.00, Receipt Number 465401028487) Document filed by Natural Resources Defense Council.(rdz) (Entered: 02/06/2012)
02/01/2012		SUMMONS ISSUED as to United States Department of Agriculture. (rdz) (Entered: 02/06/2012)
02/01/2012		Magistrate Judge Frank Maas is so designated. (rdz) (Entered: 02/06/2012)
02/01/2012		Case Designated ECF. (rdz) (Entered: 02/06/2012)
02/09/2012	<u>2</u>	NOTICE OF APPEARANCE by Tomoko Onozawa on behalf of United States Department of Agriculture (Onozawa, Tomoko) (Entered: 02/09/2012)

02/24/2012	<u>3</u>	AFFIDAVIT OF SERVICE. United States Department of Agriculture served on 2/1/2012, answer due 4/2/2012. Service was made by Mail. Document filed by Natural Resources Defense Council. (Bernard, Mitchell) (Entered: 02/24/2012)
03/05/2012	<u>4</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Department of Agriculture.(Onozawa, Tomoko) (Entered: 03/05/2012)
03/06/2012	<u>5</u>	INITIAL PRETRIAL CONFERENCE ORDER: Initial Conference set for 3/20/2012 at 02:45 PM in Courtroom 20C, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty, and as further set forth. (Signed by Judge Paul A. Crotty on 3/6/2012) (rjm) (Entered: 03/06/2012)
03/07/2012	<u>6</u>	MOTION for Aaron Colangelo to Appear Pro Hac Vice. Document filed by Natural Resources Defense Council.(arc) (Entered: 03/08/2012)
03/09/2012	<u>7</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>6</u> Motion for Aaron Colangelo to Appear Pro Hac Vice. (Signed by Judge Paul A. Crotty on 3/9/2012) (js) (Entered: 03/09/2012)
03/13/2012		CASHIERS OFFICE REMARK on <u>6</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 03/07/2012, Receipt Number 1031863. (jd) (Entered: 03/13/2012)
03/13/2012	<u>8</u>	ENDORSED LETTER addressed to Judge Paul A. Crotty from Tomoko Onozawa dated 3/12/2012 re: The parties respectfully request to be relieved of the obligation to submit a proposed Civil Case Management Plan pursuant to Fed. R. Civ. P. 26(f) and Your Honor's Individual Practices in advance of the initial conference. The parties have been negotiating a proposed stipulation and order with respect to timelines for USDA's processing of plaintiff's FOIA requests. To the extent that the parties can consensually resolve any or all issues relating to plaintiff's FOIA requests, counsel will make every effort to do so.ENDORSEMENT: SO ORDERED. (Signed by Judge Paul A. Crotty on 3/13/2012) (ama) (Entered: 03/13/2012)
03/20/2012		Minute Entry for proceedings held before Judge Paul A. Crotty: Initial Pretrial Conference held on 3/20/2012. REMARK: See transcript for complete details of this proceeding. Visit http://www.nysd.uscourts.gov/courtrm_tech.php with respect to ordering a transcript of a recorded proceeding via "Courtflow." (mov) (Entered: 03/20/2012)
03/26/2012	<u>9</u>	TRANSCRIPT of Proceedings re: proceeding held on 3/20/2012 before Judge Paul A. Crotty. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/19/2012. Redacted Transcript Deadline set for 4/30/2012. Release of Transcript Restriction set for 6/28/2012.(tro) (Entered: 03/26/2012)
03/26/2012	<u>10</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a proceeding proceeding held on 3/20/2012 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(tro) (Entered: 03/26/2012)
04/12/2012	<u>11</u>	STIPULATION AND ORDER REGARDING DOCUMENT PRODUCTION BY DEFENDANT. IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff and Defendant as follows: On or before April 13, 2012, Defendant will release copies of the Public Documents to Plaintiff. With respect to the CBI Documents: On or before April 9, 2012, pursuant to Executive Order 12600, Defendant will submit to Dow a notification letter ("Notice Letter") and copies of the CBI Documents. The letter will provide that Dow's deadline to review the CBI Documents and respond to the Notice Letter will be no later than May 23, 2012, and as further set forth in said stipulation and order. (Signed by Judge Paul A. Crotty on 4/12/2012) (rjm) (Entered: 04/12/2012)

08/02/2012	<u>12</u>	ENDORSED LETTER addressed to Judge Paul A. Crotty from Aaron Colangelo dated 7/31/2012 re: NRDC proposes to submit a pre-motion conference letter regarding any challenge to the agency's withholdings, or notify the Court that no motion practice will be necessary, no later than August 31, 2012. Defendant's counsel consents to this proposed schedule for further proceedings. ENDORSEMENT: SO ORDERED. (Signed by Judge Paul A. Crotty on 8/2/2012) (djc) (Entered: 08/02/2012)
08/31/2012	<u>13</u>	ENDORSED LETTER addressed to Judge Paul A. Crotty from Aaron Colangelo dated 8/29/2012 re: The parties request that the Court hold this matter in abeyance for 30 days, until September 28 2012, to allow counsel an opportunity to try to resolve this final remaining issue. If the parties are unavailable to resolve –NRDC's claim for fees and costs, NRDC proposes to submit a pre-motion conference letter to the Court no later than September 28. ENDORSEMENT: SO ORDERED. (Signed by Judge Paul A. Crotty on 8/31/2012) (ama) (Entered: 08/31/2012)
09/12/2012	<u>14</u>	STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL: that pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, this action is dismissed with prejudice. As soon as reasonably practicable after the Court has endorsed and docketed this Stipulation and Order, Defendant shall pay to Plaintiff the sum of eight thousand one hundred twenty-eight dollars and fifty cents (\$8,128.50) in attorneys' fees and litigation costs, pursuant to 5 U.S.C. § 552(a)(4)(E), which sum Plaintiff agrees to accept as full payment of any attorneys' fees and costs it has incurred in this action. Upon payment of the amount set forth in the preceding paragraph, Plaintiff releases the United States, its agencies, departments, officers, employees, servants, and agents, including USDA, from any claims for attorneys' fees, costs and expenses of any kind, and however denominated, relating to services performed in connection with this matter. The Clerk of Court is directed to terminate this case. (Signed by Judge Paul A. Crotty on 9/12/2012) (pl) Modified on 9/12/2012 (pl). (Entered: 09/12/2012)